



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
PROBATION OFFICE

3:09-mj-33

Petition for Summons
with Attached Request for
Court Action Direction Detailing Probable Cause

Offender: Allen, David

Docket Number: 05-CR-0834-CM

Sentencing Judge: Honorable Colleen McMahon, U.S. District Judge

Date of Original Sentence: May 10, 2006

Original Offense: Felon in Possession of a Firearm, in Violation of 18 U.S.C. 922 (g)(1), a Class C Felony.

Original Sentence: Thirty (30) Months Imprisonment Followed by Three (3) Years Supervised Release.

Type of Supervision: Supervised Release Date Supervision Commenced: December 6, 2009

PETITIONING THE COURT TO ISSUE A SUMMONS

The offender has not complied with the following condition(s) of supervision:

Nature of Noncompliance

- 1 ON OR ABOUT AUGUST 30, 2008, IN YONKERS, WESTCHESTER COUNTY, NEW YORK, ALLEN COMMITTED A STATE CRIME, AGGRAVATED HARASSMENT IN THE SECOND DEGREE, IN VIOLATION OF NEW YORK STATE PENAL LAW 240.30, A CLASS A MISDEMEANOR, IN THAT ALLEN ON MULTIPLE THREATENED TO CAUSE BODILY INJURY TO HIS CHILD'S MOTHER. MANDATED CONDITION, GRADE C VIOLATION.

Allen, David

46919 -S.Vargas

2

- 2 ON OR ABOUT NOVEMBER 8, 2008, IN YONKERS, WESTCHESTER COUNTY, NEW YORK ALLEN COMMITTED A STATE CRIME, CRIMINAL TRESPASS IN THE THIRD DEGREE IN VIOLATION OF NEW YORK STATE PENAL LAW 140.10 (A) A CLASS B MISDEMEANOR, IN THAT ALLEN KNOWINGLY ENTERED AND REMAINED UNLAWFULLY IN A BUILDING OR REAL PROPERTY WHICH IS FENCED OR OTHERWISE ENCLOSED IN A MANNER DESIGNED TO EXCLUDE INTRUDERS. MANDATED CONDITION, GRADE C VIOLATION.
- 3 ON OR ABOUT SEPTEMBER 26, 2008 AND NOVEMBER 8, 2008, ALLEN LEFT THE MIDDLE DISTRICT OF PENNSYLVANIA WITHOUT THE PERMISSION OF THE COURT OR THE PROBATION OFFICER, TO WIT, ALLEN TRAVELED TO YONKERS, WESTCHESTER COUNTY, NEW YORK, IN THE SOUTHERN DISTRICT OF NEW YORK, WITHOUT NOTIFYING THE COURT OR PROBATION DEPARTMENT. CONDITION #1, GRADE C VIOLATION.
- 4 ON OR BEFORE JANUARY 19, 2009, ALLEN USED A CONTROLLED SUBSTANCE, TO WIT, MARIHUANA. MANDATED CONDITION, MANDATORY REVOCATION, GRADE C VIOLATION.

I declare under penalty of perjury that the foregoing is true and correct. (Supporting documentation is attached)

Respectfully submitted,

Michael J. Fitzpatrick
Chief U.S. Probation Officer



Steven Vargas

U.S. Probation Officer
(212) 805-5076

Approved by:



2/23/09

Peter Merrigan

Date:

Supervising U.S. Probation Officer

Phone: (212) 805-5129